

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: Batesville Casket Company, Inc.
Mailing Address: 901 New Columbia Road
Campbellsville, Kentucky 42718

is authorized to construct/operate a metal casket manufacturing plant at

Source Name: Batesville Casket Company, Inc.
Mailing Address: 901 New Columbia Road
Campbellsville, Kentucky 42718
Source Location: 901 New Columbia Road

Permit Type: Federally-Enforceable
Review Type: Title V

Permit Number: V-97-039
Log Number: E749
Application
Complete Date: February 11, 1997
KYEIS ID #: 105-3820-0023
AFS Plant ID #: 21-217-00023
FINDS Number: KYD980600720
SIC Code: 3995

Region: South Central
County: Taylor

Issuance Date: May 26, 1998
Expiration Date: May 26, 2003

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be administratively and technically complete on February 11, 1997, the Kentucky Division for Air Quality hereby authorizes the construction/operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

This permit contains provisions which require that specific test methods, monitoring or recordkeeping be used as a demonstration of compliance with permit limits. However, these provisions do not shield the source from violations of the applicable requirements being established and documented through other evidence, nor does it relieve the source from its obligation to comply with the underlying emission limits or other applicable requirements being monitored.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emissions Unit: 01

First Prime Paint Spray Booth

Second Prime Paint Spray Booth

Color Coat Paint Spray Booth

Repair Paint Spray Booth

Two Clear Topcoat Paint Spray Booths

Description:

6 paint spray booths, each equipped with a downdraft water-wall each with an efficiency of 90% plus 4 natural gas direct fired ovens and an infrared natural gas fired oven

Construction commenced: 1981

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:010, New process operations applicable to each emission unit which commenced construction on or after July 2, 1975.

Under Regulation 401 KAR 59:225, New miscellaneous metal parts and products surface coating operations, Section 2(2), each affected facility commenced on or after February 4, 1981 but prior to June 24, 1992 is exempt from this regulation except that control devices and procedures required by this regulation to control volatile organic compound emissions at the time it commenced shall continue to be operated and maintained. No control devices or procedures are required for the control of volatile organic compound emissions for these affected facilities because affected facilities located in Taylor County were exempt from any requirements in the older version of this regulation dated February 4, 1981.

1. **Operating Limitations:** None

2. **Emission Limitations:**

1. See GROUP requirements.
2. 401 KAR 59:010, New process operations
 - A. Section 3(2): PM emissions shall not exceed 2.34 lbs/hr for each booth.
 - B. Section 3(1): Visible emissions shall not equal or exceed 20% opacity for each booth.

3. **Testing Requirements:** Particulate emissions shall be measured using EPA Reference Method 5 specified in Regulation 401 KAR 50:015. The testing shall take place within 6 months from the date of the issuance of this permit and within 6 months prior to request for renewal of this permit.

4. **Specific Monitoring Requirements:**

1. Static pressures in the down-draft water wall shall be monitored on a daily basis.
2. Visual emissions observations from the paint spray booths shall be made daily.
3. In addition, once per calendar quarter, EPA Reference Method 9 or equivalent reading shall be performed.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS(Continued)

5. Specific Record Keeping Requirements:

1. See GROUP requirements.
2. Records shall be kept of the static pressure measurements for each down-draft water wall for each day of operation. Any values outside the tested operating ranges and any remedial action taken to correct these shall be noted.
3. A log shall be kept of all emission observations. Notification in the daily log shall be made of, but not limited to the following:
 - a) Whether any air emissions (except for water vapor) were visible from the plant.
 - b) Whether the visible emissions were normal for the process.
 - c) Whether the emissions were light or heavy.
 - d) The cause of any abnormal emissions, and any corrective actions taken.

6. Specific Reporting Requirements: See GROUP requirements.

7. Specific Control Equipment Operating Conditions:

1. Each down-draft water wall shall operate in accordance with the manufacturer's specifications and shall be in use when the booth is operating and maintained as needed to comply with emission limitations.
2. The permittee shall determine all daily operating static pressures ranges in each down- draft water wall during the particulate testing period as required in Condition No. 3. The ranges determined must be maintained at all times when the paint spray booths are operating. Alternate ranges must be approved by the division.
3. For each booth: water must be flowing through the down-draft water wall while the paint spraying is being operated.

8. Alternate Operating Scenarios: None

9. Compliance Schedule: None

10. Compliance Certification Requirements: See Section F(7)

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS(Continued)

Emissions Unit: 02

Two Spray Gun Washers (2nd Prime)

Two Spray Gun Washers (Color Coat)

Spray Gun Washer (Repair)

Spray Gun Washer (Backup)

Description:

6 spray gun washers(cold cleaners) using non-halogenated solvents

Construction commenced: August, 1992

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:185, New solvent metal cleaning equipment applicable to each affected facility which commenced construction on or after June 24, 1992 and is a part of a major source.

1. Operating Limitations:

1. Waste solvent shall not be disposed of or transferred to another party so that greater than 20 percent by weight of the waste solvent can evaporate into the atmosphere. Waste solvent shall be stored only in covered containers.
2. Degreaser cover shall be closed if not handling parts in the cleaner.
3. Cleaned parts shall be drained until dripping ceases (15 seconds is usually necessary).

2. Emission Limitations:

1. See GROUP requirements.

3. Testing Requirements: None.

4. Specific Monitoring Requirements: None.

5. Specific Record Keeping Requirements:

See GROUP requirements.

6. Specific Reporting Requirements: See GROUP requirements.

7. Specific Control Equipment Operating Conditions:

1. The cleaner shall be equipped with a cover. If the solvent volatility is greater than 15 mmHg measured at 100 degrees F or if the solvent is agitated or heated, then the cover shall be designed so that it can be easily operated with one hand.
2. The cleaner shall be equipped with a drainage facility so that solvent that drains off parts removed from the cleaner will return to the cleaner. If the solvent volatility is greater than 32 mmHg measured at 100 degrees F then the drainage facility may be internal so that parts are enclosed under the cover while draining. The drainage facility may be external if the cabinet determines that an internal type cannot fit into the cleaning system.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS(Continued)

7. Specific Control Equipment Operating Conditions: (Continued)

3. A permanent, conspicuous label, summarizing the operating requirements specified in the operating limitations section of this emission point shall be installed on or near the cleaner.
4. If used, the solvent spray shall be a fluid stream (not a fine, atomized or shower type spray) and at a pressure which does not cause excessive splashing.
5. If the solvent volatility is greater than 32 mmHg measured at 100 degrees F or if the solvent is heated above 120 degrees F, then one of the following control devices shall be used:
 1. Freeboard that gives a freeboard ratio greater than or equal to 0.7.
 2. Water cover (solvent shall be insoluble in and heavier than water).
 3. Other systems of equivalent control, such as a refrigerated chiller or carbon adsorption.

8. Alternate Operating Scenarios: None

9. Compliance Schedule: None

10. Compliance Certification Requirements: See Section F(7)

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS(Continued)

Emissions Unit: 03

Parts Washer (Maintenance)

Description:

Parts washer (cold cleaner) using non-halogenated solvents

Construction commenced: After June, 1992

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:185, New solvent metal cleaning equipment applicable to each affected facility which commenced construction on or after June 24, 1992 and is a part of a major source. Exempt from Section 4 of this regulation under Section 8. Exemptions.

1. **Operating Limitations:** None
2. **Emission Limitations:**
See GROUP requirements.
3. **Testing Requirements:** None.
4. **Specific Monitoring Requirements:** None.
5. **Specific Record Keeping Requirements:**
See GROUP requirements.
6. **Specific Reporting Requirements:** See GROUP requirements.
7. **Specific Control Equipment Operating Conditions:** None
8. **Alternate Operating Scenarios:** None
9. **Compliance Schedule:** None
10. **Compliance Certification Requirements:** See Section F(7)

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS(Continued)

Emissions Unit: 04

Parts Washer (Paint Mixing Room)

Description:

Parts washer(cold cleaner) using non-halogenated solvents

Construction commenced: October, 1997

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:185, New solvent metal cleaning equipment applicable to each affected facility which commenced construction on or after June 24, 1992 and is a part of a major source.

1. Operating Limitations:

1. Waste solvent shall not be disposed of or transferred to another party so that greater than 20 percent by weight of the waste solvent can evaporate into the atmosphere. Waste solvent shall be stored only in covered containers.
2. Degreaser cover shall be closed if not handling parts in the cleaner.
3. Cleaned parts shall be drained until dripping ceases (15 seconds is usually necessary).

2. Emission Limitations:

1. See GROUP requirements.

3. Testing Requirements: None.

4. Specific Monitoring Requirements: None.

5. Specific Record Keeping Requirements:

See GROUP requirements.

6. Specific Reporting Requirements: See GROUP requirements.

7. Specific Control Equipment Operating Conditions:

1. The cleaner shall be equipped with a cover. If the solvent volatility is greater than 15 mmHg measured at 100 degrees F or if the solvent is agitated or heated, then the cover shall be designed so that it can be easily operated with one hand.
2. The cleaner shall be equipped with a drainage facility such that solvent that drains off parts removed from the cleaner will return to the cleaner. If the solvent volatility is greater than 32 mmHg measured at 100 degrees F then the drainage facility may be internal so that parts are enclosed under the cover while draining. The drainage facility may be external if the cabinet determines that an internal type cannot fit into the cleaning system.
3. A permanent, conspicuous label, summarizing the operating requirements specified in the operating limitations section of this emission point shall be installed on or near the cleaner.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

7. Specific Control Equipment Operating Conditions: (Continued)

4. If used, the solvent spray shall be a fluid stream (not a fine, atomized or shower type Spray) and at a pressure which does not cause excessive splashing.
5. If the solvent volatility is greater than 32 mmHg measured at 100 degrees F or if the solvent is heated above 120 degrees F, then one of the following control devices shall be used:
 1. Freeboard that gives a freeboard ratio greater than or equal to 0.7.
 2. Water cover (solvent shall be insoluble in and heavier than water).
 3. Other systems of equivalent control, such as a refrigerated chiller or carbon adsorption.

8. Alternate Operating Scenarios: None

9. Compliance Schedule: None

10. Compliance Certification Requirements: See Section F(7)

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS(Continued)**GROUP Requirements****APPLICABLE REGULATIONS:** None

1. **Operating Limitations:** None
2. **Emission Limitations:**
Volatile organic compound (VOC) emissions shall be less than 250 tons/yr based on a 12 month rolling total for the entire source including insignificant activities. Volatile organic compound emissions will be determined using the following methods:
 1. For material balance calculations; which include all paint spray booths and cold cleaners,
$$\text{VOC} = \text{gallons of paint or solvent used} \times \text{density} \times \text{percent VOC}$$
 2. For natural gas combustion VOC emissions;
$$\text{VOC} = \text{fuel usage (cubic feet used)} \times \text{emission factor from AP42, Section 1.4}$$
3. **Testing Requirements:** None
4. **Specific Monitoring Requirements:** None
5. **Specific Record Keeping Requirements:** Recordkeeping consisting of all materials containing VOC's used, including those used in insignificant activities, with VOC content for each and total VOC emissions shall be kept on a monthly basis and summarized at the end of each month. A 12 month rolling total of the monthly summary shall be calculated to show compliance with emission limitations.
6. **Specific Reporting Requirements:** Reports shall be submitted to the Division's Bowling Green Regional Office each month. The reports shall contain the monthly summarized VOC emissions and the 12 month rolling total calculations.
7. **Specific Control Equipment Operating Conditions:** None
8. **Alternate Operating Scenarios:** None
9. **Compliance Schedule:** None
10. **Compliance Certification Requirements:** Annual compliance certification must certify compliance with the emission limitation of VOC emissions of less than 250 tons per year.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4).

Description	Regulation
1. 7 Heaters (Receiving Area)	None
2. 4 IR Heaters (New Barn)	None
3. End-panel washer (Shell Preparation)	None
4. End-Tube brazing (Shell Preparation)	401 KAR 59:010
5. Mainline Welding (Shell Preparation)	401 KAR 59:010
6. Subline Welding (Shell Preparation)	401 KAR 59:010
7. Shell Stokers (Shell Preparation)	401 KAR 59:010
8. Crimper (Shell Preparation)	401 KAR 59:010
9. Mitre Welding/Grinding (Shell Preparation)	401 KAR 59:010
10. Bottom-Repair Welding (Shell Preparation)	401 KAR 59:010
11. Rough Grinders (Shell Preparation)	401 KAR 59:010
12. Finishing (Shell Preparation)	401 KAR 59:010
13. 3 Heaters (Shell Preparation)	None
14. Cap Saw (Cap Preparation)	401 KAR 59:010
15. Header Welding (Cap Preparation)	401 KAR 59:010
16. Mitre Welding (Cap Preparation)	401 KAR 59:010
17. 2 Cap Stokers (Cap Preparation)	401 KAR 59:010
18. Bench Furnace (Cap Preparation)	None
19. Hinge Welding/Flange Finishing (Cap Preparation)	401 KAR 59:010
20. Crown Finishing (Cap Preparation)	401 KAR 59:010
21. Cap Finishing (Cap Preparation)	401 KAR 59:010

SECTION C - INSIGNIFICANT ACTIVITIES - Continued

Description	Regulation
22. Crown Stroker (Cap Preparation)	401 KAR 59:010
23. 3 Heaters (Cap Preparation)	401 KAR 59:010
24. First stage Burner (Wash)	None
25. Third stage Burner (Wash)	None
26. Fifth stage Burner (Wash)	None
27. Dry-off oven (Wash)	None
28. 2 Airhouses (First Prime)	None
29. Cap Brushing (First Prime)	401 KAR 59:010
30. Shell Brushing (First Prime)	401 KAR 59:010
31. 2 Stokers (First Prime)	401 KAR 59:010
32. Heater (First Prime)	None
33. Sanding Booth (Second Prime)	401 KAR 59:010
34. 2 Airhouses (Second Prime)	None
35. Heater (Second Prime)	None
36. Sanding Booth (Color)	401 KAR 59:010
37. 2 Airhouses (Color)	None
38. Heater (Color)	None
39. Sanding/Grinding (Repair)	401 KAR 59:010
40. 2 Airhouses (Repair)	None

SECTION C - INSIGNIFICANT ACTIVITIES - Continued

Description	Regulation
41. 2 Airhouses (Final Topcoat)	None
42. Heater (Final Topcoat)	None
43. Spray Booth (Hardware)	401 KAR 59:010
44. Embroidery Adhesive (Hardware)	None
45. Paint Spray (Spot Repair)	401 KAR 59:010
46. Spot Cleaner (Spot Repair)	None
47. Polishing (Spot Repair)	None
48. Heater (Maintenance)	None
49. Heater (Paint Mixing)	None
50. Test Booth(Paint Mixing)	None
51. 5 Primer/Topcoat Storage Tanks (Paint Mixing)	None
52. 33 Paint Mixing Tanks	None
53. 3 Paint Storage Tanks (Bulk Storage)	None
54. Emergency Generator - 50 HP	None
55. Diesel Fire Pump - <500HP	None
56. 11 Heaters (Interior)	None
57. 2 Heaters (Front Office)	None
58. Heater (TNG Room)	None
59. Heater (Glass House)	None
60. Heater (Paint Office)	None
61. Waste water treatment plant	None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. VOC emissions from the entire source shall not exceed 250 tons/yr based on a 12 month rolling average.
2. PM and VOC emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. Compliance with annual emissions and processing limitations imposed pursuant to 401 KAR 50:035, Section 7(1)(a), and contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

SECTION E - CONTROL EQUIPMENT CONDITIONS

1. Pursuant to 401 KAR 50:012, Section 1(1) and 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the cabinet which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
2. Pursuant to 401 KAR 50:012, Section 1(1), in the absence of a specific regulatory standard, all air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a) Date, place as defined in this permit, and time of sampling or measurements.
 - b) Analyses performance dates;
 - c) Company or entity that performed analyses;
 - d) Analytical techniques or methods used;
 - e) Analyses results; and
 - f) Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained at the source authorized by this permit for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.
3. The permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a) Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b) Have access to and copy, at reasonable times, any records required by the permit:
 - i) During normal office hours, and
 - ii) During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c) Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i) During all hours of operation at the source,
 - ii) For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii) During an emergency; and
 - d) Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i) During all hours of operation at the source,
 - ii) For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii) During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be reported to the Division's Bowling Green Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. Data from the continuous emission and opacity monitors shall be reported to the Director in accordance with the requirements of Regulation 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.
6. In accordance with Regulation 401 KAR 50:055, Section 1, the owner or operator shall notify the Division for Air Quality's Bowling Green Regional Office by telephone as promptly as possible any deviation from permit requirements, including those due to malfunctions, unplanned shutdowns, ensuing startups, or upset conditions. Pursuant to Regulation 401 KAR 50:035, Section 7(1)(e), the notification shall describe the probable cause of the deviations and corrective actions or preventive measures taken.
7. The permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date to the Division for Air Quality's Bowling Green Regional Office and the U.S. EPA in accordance with the following requirements:
 - a) Identification of each term or condition of the permit that is the basis of the certification;
 - b) The compliance status regarding each term or condition of the permit;
 - c) Whether compliance was continuous or intermittent; and
 - d) The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).
 - e) Other facts the Division may require to determine the compliance status of the source; and
 - f) The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date.
8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall report all information necessary to determine its subject emissions.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
 - b) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.;
 - c) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority. The permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the source after the date a complete permit application was submitted but prior to the release of the draft permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit.
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance.
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6).
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance.
11. This permit shall not convey property rights or exclusive privileges.
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
15. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division.

SECTION G - GENERAL CONDITIONS (CONTINUED)

c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Construction, Start-Up, and Initial Compliance Certification Requirements

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction, and within fifteen (15) days following start-up, and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Bowling Green Regional Office in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
 - a) The date when construction commenced.
 - b) The date of start-up of the affected facilities listed in this permit.
 - c) The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to State Regulation 401 KAR 50:035, Permits, Section 13(1), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or if construction is not completed within eighteen (18) months of the scheduled completion date, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Extensions of the time periods specified herein may be granted by the Division upon a satisfactory request showing that an extension is justified.
4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(d) Construction, Start-Up, and Initial Compliance Certification Requirements (Continued)

5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a compliance demonstration on the affected facilities in accordance with Regulation 401 KAR 50:055, General compliance requirements.

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - i) An emergency occurred and the permittee can identify the cause of the emergency;
 - ii) The permitted facility was at the time being properly operated;
 - iii) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - iv) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e), and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof.

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall:
 - a. Submit a Risk Management Plan to U.S.EPA, Region IV with a copy to this Division and comply with the Risk Management Program by June 21, 1999 or a later date specified by the U.S.EPA.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(g) Risk Management Provisions (Continued)

- b. Submit additional relevant information if requested by the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
 2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.
- (i) All previous operating permits issued to this source at this location are hereby null and void.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None